

UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN THE MATTER OF) Case No. 23-mj-4351
THE EXTRADITION OF)
IRINA BARRETT) UNDER SEAL

COMPLAINT
(18 U.S.C. § 3184)

I, the undersigned Assistant United States Attorney, being duly sworn, state on information and belief that the following is true and correct:

1. In this matter, I represent the United States in fulfilling its treaty obligations to the Federal Republic of Germany (“Germany”).
2. There is an extradition treaty in force between the United States and Germany, the Treaty Between the United States of America and the Federal Republic of Germany Concerning Extradition, U.S.-F.R.G., June 20, 1978, T.I.A.S. No. 9785, *as amended by* the Supplementary Extradition Treaty with the Federal Republic of Germany, U.S.-F.R.G., Oct. 21, 1986, S. Treaty Doc. No. 100-6 (1987), *and* the Second Supplementary Treaty to the Treaty Between the United States of America and the Federal Republic of Germany Concerning Extradition, U.S.-F.R.G., Apr. 18, 2006, S. Treaty Doc. No. 109-14 (2006) (collectively, the “Treaty”).
3. Pursuant to the Treaty, Germany has submitted a formal request through diplomatic channels for the extradition of Irina Barrett (“BARRETT”), a German national. BARRETT’s name at birth was Irina Schiff. She changed her last name to Hagstedt and then Barrett after she got married and then remarried.
4. According to the information provided by Germany, BARRETT is wanted both to serve a

sentence and to face pending charges. In particular, on July 5, 2007, BARRETT was convicted of 57 counts of professional fraud in violation of section 263, paragraph one of the German Criminal Code, and sentenced to a one-a-half-year term of imprisonment. She is wanted to serve the remainder of that sentence¹; accordingly, on September 7, 2012, the Public Prosecutor's Office of Heilbronn in Heilbronn, Germany issued a warrant for her arrest. Separately, she is charged with 154 counts of commercial fraud in violation of section 263, paragraphs one and three of the German Criminal Code. On January 10, 2018, Judge Hassell of the Rostock Local Court in Rostock, Germany issued a warrant for BARRETT's arrest on those charges.

5. BARRETT is accused of committing these offenses within the jurisdiction of Germany.

6. The warrants were issued on the basis of the following facts:

a. *First*, BARRETT confessed to and was convicted of executing three fraud schemes from October 2005 through February 2007.² For the first scheme, between October 11, 2005, and January 19, 2006, using pseudonyms (specifically, Jana Hagstedt, Diane Thompson, and Peter Thompson), BARRETT placed 12 different orders via the internet with various companies for certain items totaling EUR 2,914.14. The items were delivered to BARRETT's home in Bretzfeld, Germany, but she failed to pay for them as promised. For the second scheme, between June 9, 2006, and June 22, 2006, BARRETT purported to sell certain items totaling EUR 5,037.81 to 25 different individuals via the internet from her home in Bretzfeld. However, after the buyers paid for the goods, BARRETT failed to deliver them. The third scheme, which lasted between August 6, 2006, and February 14, 2007, was similar to the second scheme, with

¹ According to German authorities, to date, BARRETT has served 137 days of her sentence, when she was in pre-trial custody from February 19, 2007, to July 5, 2007.

² At the time of her conviction, BARRETT went by the name Irina Hagstedt.

BARRETT falsely purporting to sell goods totaling EUR 3,615.00 to 20 different individuals via the internet from her home in Oedheim, Germany.

b. BARRETT appeared for her trial and was sentenced to a one-and-a-half-year term of imprisonment. The court initially suspended BARRETT's sentence and imposed a three-year term of probation. However, BARRETT failed to comply with terms of her probation, including undergoing therapeutic treatment, performing 100 hours of community service, and obtaining leave of court prior to departing the country. Accordingly, her term of imprisonment was reinstated. However, at some point following her conviction, BARRETT fled Germany and came to the United States, so she has failed to serve her sentence as ordered.

c. *Second*, BARRETT is alleged to have operated a large-scale fraud scheme from the United States between at least February 4, 2013, and January 25, 2017, involving at least 154 victims located in Germany, each of whom paid on average approximately EUR 100-200 on internet sales platforms for used Apple iPods, Nintendo and Xbox game consoles, and similar items, which they never ultimately received.

d. In particular, in August 2014, German authorities received complaints from multiple individuals who had attempted to purchase iPods and game consoles through eBay. These individuals had paid for the items but never received them. Tracing the payments for nine of the buyers led to a German man named Jan Schumacher. Schumacher stated that he had met and developed a romantic relationship on Jappy, a German online community (www.jappy.de), with a German girl who claimed to be named Irina Nagstedt (similar to BARRETT's former name) living in Florida. According to Schumacher, at one point, Nagstedt had claimed that she needed money to be able to return to Germany, and that she had friends in Germany who owed her money and were looking for a way to transfer it to her. She asked Schumacher to allow her to

use his bank account for the transfers. Schumacher reported that he received multiple transfers to his account and, thereafter, sent the money to Nagstedt via three Western Union transfers. German authorities traced the money Schumacher received and determined it was from the individuals who had bought electronics online and not received them. Nagstedt told Schumacher that she would contact him as soon as she got back to Germany, but never did so.

e. Information provided by Western Union revealed 108 withdrawals by a person or persons who used names that were slight variations on Irina Hagstedt, such as Irena Haggstedt, Trina Hogstadt, and Irisa Hedstaedt, from three different Western Union offices in Tampa, Florida between January 1, 2013, and November 24, 2014. Each transaction was sent from Germany. An expanded search revealed even more related names being used for transactions into February 2015.

f. German authorities identified more than twenty male “agents” who, like Schumacher, formed a relationship through Jappy with a German girl staying in the United States, and forwarded funds to her so that she could purportedly buy a plane ticket back to Germany. The girl told many of the “agents” that she was working as an au pair and was being sexually assaulted by her host father, and so planned to return to Germany as soon as possible. Unbeknownst to the “agents,” the funds they transferred had originated from individuals who had attempted to purchase iPods and game consoles online.

g. The individuals who never received the items they purchased identified various e-mail accounts at freenet.de with which they communicated to carry out the transactions. Court-ordered monitoring of some of those accounts revealed that they were forwarding messages to a more limited number of “main” e-mail accounts. Each of these main accounts had between 5 and 324 alias accounts connected to them. For example, husti77@freenet.de was identified as a main

account for sales involving the individuals who sent money to Jan Schumacher. As of February 9, 2016, 271 alias accounts were linked to husti77@freenet.de solely for the purpose of compiling transactions for iPods and game consoles. The accounts were all accessed via the Tor network, preventing the user's identification.

h. However, German authorities determined that husti77@freenet.de had been used to register a Jappy account under the name "mellemaus." On January 13, 2015, an undercover German police officer contacted "mellemaus" on Jappy, and the user told the officer the same story shared with men like Schumacher that she needed money to get a flight to Germany that could be paid for by people who owed her in Germany. The officer noted that "mellemaus" had a strong, likely native, command of the German language. Upon request, the officer provided details for a bank account, to which EUR 186 was subsequently transferred. German authorities determined that the money was transferred by Kristina Schumacher (no relation to Jan Schumacher), who on February 2, 2015, filed a complaint that she had bought a Nintendo Wii on eBay for EUR 180 plus EUR 6 for shipping, which she had not received.

i. The officer asked "mellemaus" where he should e-mail the deposit slips, and "mellemaus" instructed him to use klumppuff@freenet.de, which German authorities determined to be connected to one of the known main accounts for the scheme. On January 28 and 30, 2015, the German officer sent two e-mails to klumppuff@freenet.de, each with an attachment, which, when opened, bypassed the Tor anonymization software and revealed an internet protocol (IP) address that resolved to a terminal in Tampa, Florida.

j. German authorities also determined that the perpetrator of the scheme also received money through bitcoin transactions. In particular, they identified two "agents," Oliver Gnedler and Tobias Bauer, who had communicated on Jappy between August and December

2014 with a girl claiming to need a plane ticket back to Germany, and who transferred money to her using bit4coin.com, which allows customers to convert bitcoin into cash delivered by mail.³ Records provided by bit4coin.com identified freenet.de e-mail addresses used by the recipient of the money, including badabim@freenet.de, which were connected to main inboxes used in the scheme. Through messages regarding bitcoin transactions contained in a subordinate account connected to badabim@freenet.de, authorities obtained tracking information for four packages of cash sent between May and August 2015 to Tampa, Florida. USPS records indicate that at least two of those packages, delivered on May 14, 2015, and June 12, 2015, were signed by an “I. Barrett.”

k. According to the FBI, the May 14, 2015, package was delivered to 323 West Fern Street in Tampa. The FBI interviewed the owner of that residence and determined that between April 2009 and December 2015, it was rented by a woman who had identified herself using the names Irina April David, Irina Schiff, and Irina Barrett, and who spoke with a foreign accent, believed to be German. The FBI showed the owner a photo found through open source investigation of an Irina Barrett (from her wedding to Rob Barrett, who was also associated with the 323 West Fern Street residence), and the owner confirmed that it depicted his tenant.

8. BARRETT may currently be found within the jurisdiction of this Court at 4029 Welty Lane, Mount Juliet, Tennessee, 37122.⁴

9. Tom Heinemann, an Assistant Legal Adviser in the Office of the Legal Adviser of the United States Department of State, has provided the United States Department of Justice with a

³ Bauer had previously also sent money via Western Union to an “Irina Plagstedt” in Tampa on August 13, 2014.

⁴ A United States Magistrate Judge in the Middle District of Florida signed an arrest warrant for Irina Barrett in November, 2021 because, at that time, it was believed that Irina Barrett was residing in the Middle District of Florida. The United States is filing this complaint and seeking an arrest warrant in the Middle District of Tennessee because Irina Barrett has been located in the Middle District of Tennessee.

declaration authenticating a copy of the diplomatic note by which the request for extradition was made and a copy of the Treaty, stating that the offenses for which extradition is demanded are provided for by the Treaty, and confirming that the documents supporting the request for extradition bear the certificate or seal of the Ministry of Justice, or Ministry or Department responsible for foreign affairs, of Germany, in accordance with Article 29 of the Treaty so as to enable them to be received into evidence.

10. The declaration from the United States Department of State with its attachments, including a copy of the diplomatic note from Germany, a copy of the Treaty, and the certified documents submitted in support of the request, (marked collectively as Government's Exhibit #1) are filed with this complaint and incorporated by reference herein.

11. BARRETT would be likely to flee if she learned of the existence of a warrant for her arrest. Accordingly, the United States requests that this Complaint and warrant remain sealed until such time as the warrant is executed.

WHEREFORE, the undersigned requests that a warrant for the arrest of Irina BARRETT be issued in accordance with 18 U.S.C. § 3184 and the extradition treaty between the United States and Germany, so that the fugitive may be arrested and brought before this Court to the end that the evidence of criminality may be heard and considered, and that this Complaint, the warrant, and the extradition documents (Government's Exhibit #1) be placed under seal of the Court until such time as the warrant is executed.

/s/ Joseph P. Montminy

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Sworn to me remotely by telephone this 8th day of September, 2023.





ALISTAIR E. NEWBERN
United States Magistrate Judge